

103D CONGRESS
1ST SESSION

S. 1648

To direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in the Great Lakes and other United States waters, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Mr. GLENN (for himself, Mr. INOUE, and Mr. D'AMATO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in the Great Lakes and other United States waters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Innovative Ballast
5 Management Act”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act—

3 (1) the term “Aquatic Nuisance Species Task
4 Force” means the task force established under sec-
5 tion 1201 of the Nonindigenous Aquatic Nuisance
6 Prevention and Control Act of 1990 (16 U.S.C.
7 4721);

8 (2) the term “ballast water” means water and
9 sediments taken into or expelled out of the ballast
10 system of a vessel;

11 (3) the term “nonindigenous species” means
12 any species or other viable biological material that
13 enters an ecosystem beyond its historic range, in-
14 cluding any such organism transferred from one
15 country into another;

16 (4) the term “Secretary” means the Secretary
17 of Transportation; and

18 (5) the term “United States waters” means
19 navigable waters and territorial waters of the United
20 States.

21 **SEC. 3. BALLAST WATER MANAGEMENT STUDY.**

22 (a) IN GENERAL.—The Secretary shall study ballast
23 water technologies and practices that prevent aquatic
24 nonindigenous species from being introduced into and
25 spread through ballast water in the Great Lakes and other
26 United States waters.

1 (b) IDENTIFICATION OF TECHNOLOGIES AND PRAC-
2 TICES FOR DEMONSTRATION.—Based on the study con-
3 ducted pursuant to subsection (a), the Secretary shall
4 identify for demonstration under section 4, technologies
5 and practices that—

6 (1) may be retrofitted on existing vessels or in-
7 corporated in new vessel designs;

8 (2) are operationally practical;

9 (3) are safe for vessel and crew;

10 (4) are environmentally sound;

11 (5) are cost-effective;

12 (6) the vessel operator can monitor; and

13 (7) are effective against a broad range of nui-
14 sance organisms.

15 (c) REPORT.—Not later than 18 months after the
16 date of enactment of this Act, the Secretary shall prepare
17 and submit a report to Congress on the results of the
18 study conducted pursuant to this section, including a list
19 of the technologies and practices identified for demonstra-
20 tion.

21 **SEC. 4. BALLAST WATER MANAGEMENT DEMONSTRATION**
22 **PROGRAM.**

23 (a) IN GENERAL.—The Secretary shall conduct an
24 18-month ballast water management demonstration pro-
25 gram to demonstrate technologies and practices, including

1 technologies and practices identified under section 3, to
2 prevent aquatic nonindigenous species from being intro-
3 duced into and spread through ballast water in the Great
4 Lakes and other United States waters.

5 (b) UNITED STATES SHIPYARDS AND SHIP REPAIR
6 FACILITIES.—Installation and construction of the tech-
7 nologies and practices shall be performed in a United
8 States shipyard or ship repair facility.

9 (c) VESSEL SELECTION.—In demonstrating tech-
10 nologies and practices on vessels under this section, the
11 Secretary shall—

12 (1) use only vessels that—

13 (A) have ballast systems conducive to test-
14 ing technologies and practices applicable to a
15 significant number of merchant vessels;

16 (B) are documented under the laws of the
17 United States; and

18 (C) are publicly or privately owned and are
19 in active use for trade or other cargo shipment
20 purposes during the demonstration; and

21 (2) seek to use—

22 (A) vessels that call on ports in the United
23 States and on the Great Lakes and vessels that
24 are operated along the other major coasts of the
25 United States and inland waterways; and

1 (B) a variety of vessel types.

2 (d) REPORT.—Not later than 3 years after the date
3 of enactment of this Act, the Secretary shall prepare and
4 submit a report to Congress on the demonstration pro-
5 gram conducted pursuant to this section. The report shall
6 include findings and recommendations.

7 **SEC. 5. AUTHORITIES; CONSULTATION AND COOPERATION**
8 **WITH INTERNATIONAL MARITIME ORGANIZA-**
9 **TION AND AQUATIC NUISANCE SPECIES TASK**
10 **FORCE.**

11 (a) AUTHORITIES.—In conducting the study under
12 section 3, and the demonstration program under section
13 4, the Secretary may—

14 (1) enter into cooperative agreements with
15 other Government agencies and private entities;

16 (2) accept funds, facilities, equipment, or per-
17 sonnel from other Federal agencies; and

18 (3) accept donations of property and services.

19 (b) CONSULTATION AND COOPERATION.—The Sec-
20 retary shall consult and cooperate with the International
21 Maritime Organization and the Aquatic Nuisance Species
22 Task Force in carrying out this Act.

23 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

24 There is authorized to be appropriated \$2,000,000 to
25 carry out this Act.

